

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**DEBORA SCHMIDT and  
JAMES T. SCHMIDT,**

**Plaintiffs,**

**v.**

**FEIN, SUCH, KAHN & SHEPARD,  
P.C.,**

**Defendant.**

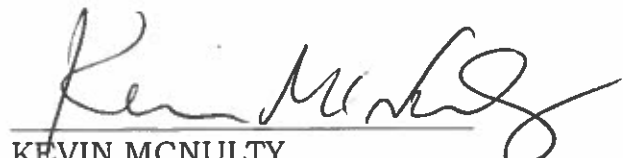
Civ. No. 18-cv-00038 (KM)

**ORDER**

The defendant, Fein, Such, Kahn & Shepard, P.C., having filed a motion (ECF no. 7) under Rule 12(b)(1) and 12(b)(6) to dismiss the complaint for lack of jurisdiction and failure to state a claim; and the plaintiffs, Debora Schmidt and James T. Schmidt, having filed a response (ECF no. 9); and the defendant having filed a reply (ECF no. 10); and the Court having reviewed the submissions without oral argument; for the reasons stated in the accompanying opinion, and good cause appearing therefor;

IT IS this 29<sup>th</sup> day of August, 2018,

ORDERED that the motion to dismiss (ECF no. 7) is DENIED.

  
\_\_\_\_\_  
KEVIN MCNULTY  
United States District Judge